

**RESOLUTION NO. 22
SERIES 2005**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, AUTHORIZING THE EXECUTION OF THE AMENDED AGREEMENT BETWEEN THE CITY OF GUNNISON AND THE GUNNISON COUNTY METROPOLITAN RECREATION DISTRICT.

WHEREAS, Section 18 of Article XIV of the Constitution of the State of Colorado and the Colorado Intergovernmental Relationship Statutes, Section 21-1-201 et seq., C.R.S. authorize political subdivisions to cooperate and contract with one another to provide any function, service or facility lawfully authorized to each of the contracting units; and

WHEREAS, The Gunnison County Metropolitan Recreation District, hereinafter referred to as the “District” and the City of Gunnison, Colorado, hereinafter referred to as the “City”, are political subdivisions as defined in Section 29-1-202(2) C.R.S. and desire to cooperate and contract among themselves for the provision of park and recreation services within the boundaries of the City which are completely within the boundaries of the District; and

WHEREAS, The District receives Conservation Trust Fund monies from the State of Colorado for the provision of park and recreation services to persons and property within the boundaries of the District; and

WHEREAS, The District petitioned the Board of County Commissioners of Gunnison County and the County Commissioners of Saguache County to modify its service plan to expand its services to include all services authorized to a park and recreation district; and

WHEREAS, The Board of County Commissioners of Gunnison County by its Resolution No. 00-60 and the Board of County Commissioners of Saguache County by its Resolution No. 01-G-6 conditionally approved the Petition for Modification; and

WHEREAS, One of the conditions required by the Board of County Commissioners of Saguache County and the Board of County Commissioners of Gunnison County was that “the District shall, in the future, distribute one-half (½) of such Conservation Trust Funds as it may receive after January 1, 2001, to the counties and municipalities in the District in proportion to their respective populations as per Conservation Trust Fund Guidelines”; and

WHEREAS, The District and the cities have previously entered into an agreement whereby the District complies with the above-referenced condition of the Board of County Commissioners of Saguache County and the Board of County Commissioners of Gunnison County and that the City agrees to receive said conservation Trust Fund monies from the district and deposit said monies into the Conservation Trust Fund established by the City to be used pursuant to 29-21-101 C.R.S.; and

WHEREAS, Recent legislative changes to 29-21-101 et seq., C.R.S. require that the agreement between the District and the City of Gunnison be amended.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, that:

Section 1. The Mayor of the City of Gunnison is authorized to sign the amended intergovernmental agreement by and between the City of Gunnison and the Gunnison County Metropolitan Recreation District.

INTRODUCED, READ, PASSED AND ADOPTED by the City Council of the City of Gunnison, Colorado, this 28th day of June, 2005.

Mayor

(SEAL)

ATTEST:

City Clerk